

March 7, 2025

**Via ECF**

The Honorable Stewart D. Aaron  
 United States District Court  
 Southern District of New York  
 Daniel Patrick Moynihan United States Courthouse  
 500 Pearl St.  
 New York, NY 10007

<b>USDC SDNY</b>
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Re: NCR Corporation v. B.A.T Industries p.l.c., No. 23-cv-01172-JPC-SDA

Dear Judge Aaron:

In accordance with the Case Management Plan (Dkt. 47) and the Court's January 3, 2025 Order (Dkt. 61), the parties write jointly to provide an update on the status of discovery.

As set forth in the parties' January 3, 2025 status letter (Dkt. 60), the parties exchanged discovery requests and responses and began producing documents in November and December 2024. BAT has made three document productions totaling 743 documents and expects to make an additional production shortly totaling approximately 40,000 documents, pending confirmation that a third-party has no objections to such production (confirmation BAT has already sought). NCR has made five productions totaling 19,950 documents. The parties exchanged proposed search parameters to guide the discovery process on February 12, 2025. The parties have exchanged several letters and have met and conferred three times regarding the scope of written discovery. The parties will continue to work to resolve or narrow any disputes before presenting them to the Court.

Fact discovery is scheduled to close on July 11, 2025. The parties are available at the Court's convenience to discuss any issues.

Respectfully submitted,

/s/ Zachary Payne  
 Zachary Payne

*Counsel for Plaintiff NCR Voyix Corporation*

/s/ Dennis H. Tracey III  
 Dennis H. Tracey III

*Counsel for Defendant B.A.T Industries p.l.c.*

**ENDORSEMENT:** The Court is in receipt of the joint status letter at ECF No. 71. The parties shall file another joint status letter apprising the Court on the status of discovery on Friday, May 9, 2025.

SO ORDERED.

Dated: March 10, 2025

